

Remarks

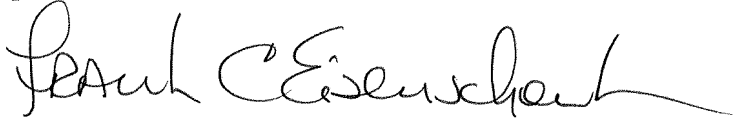
Claims 80-101 are pending in the subject application. Claim 80 has been amended and claims 102-103 have been added. Accordingly, claims 80-103 are currently before the Examiner. Applicants hereby elect solid cancer as the species. As indicated above, Applicants elect solid tumor as a species for examination, and should the Examiner require a further election with respect to solid tumors, Applicants hereby elect renal cancer. Finally, as a specific compound, Applicants hereby elect BrHPP for examination. This election is made with traverse and it is respectfully submitted that claims 80-95 and 100-103 read on the elected invention (with claims 96-99 standing withdrawn from consideration). Favorable consideration of the pending claims is respectfully requested.

Applicants note the Examiner's comments regarding the various disease states set forth in the restriction requirement and respectfully suggest that the previous election of species requirement be reconsidered and set forth a restriction requirement drawn to patentably distinct inventions. Applicants respectfully submit that each of the disease states set forth in the claims (*e.g.*, cancers, solid tumors, infectious diseases, autoimmune diseases and allergic diseases) constitutes an independent and distinct invention and that an undue burden would be placed on the Examiner with respect to the examination of each of these disease states (as well as the various specific diseases or disorders associated with such disease states), particularly since the pathologies and etiologies of the disease states differ in operation and presentation in a clinical setting. Applicants also respectfully submit that the inventions for which the election of species has been required would require a separate/different field of search for each disease state and that treatment of each of these different disease states has acquired a separate status within the art. Accordingly, Applicants respectfully request that the previous requirement for an election of species be withdrawn and that the requirement be reformulated as a restriction requirement as has been done for the $\gamma\delta$ cell activator compounds recited in the claims.

Applicants believe that the pending claims are in condition for allowance and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank C. Eisenschenk", with a long horizontal flourish extending to the right.

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